



# CITY COUNCIL

## AGENDA REQUEST

**AGENDA OF:** 05/06/08

**AGENDA  
REQUEST NO:** V A

**INITIATED BY:** HAROLD ELLIS, PLANNER II *HE*

**RESPONSIBLE  
DEPARTMENT:** PLANNING

**PRESENTED BY:** SABINE SOMERS-KUENZEL AICP  
DIRECTOR OF PLANNING &  
HAROLD ELLIS, PLANNER II

**DEPARTMENT  
HEAD:** SABINE SOMERS-KUENZEL AICP  
DIRECTOR OF PLANNING *AK*

**ADDITIONAL  
DEPARTMENT.  
HEAD (S):** N/A

**SUBJECT /  
PROCEEDING:** PERMANENT ZONING FROM INTERIM STANDARD SINGLE-FAMILY RESIDENTIAL TO STANDARD  
SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT FOR TELFAIR CENTRAL  
PUBLIC HEARING, FIRST READING OF ORDINANCE NO. 1681

**EXHIBITS:** VICINITY MAP, TELFAIR GENERAL PLAN, ORDINANCE NO. 1681, APPLICATION AND  
CORRESPONDENCE, PUBLIC HEARING NOTICE

### CLEARANCES

### APPROVAL

**LEGAL:** MEREDITH WILGANOWSKI, *MW*  
ASSISTANT CITY ATTORNEY

**EXECUTIVE  
DIRECTOR:** JIM CALLAWAY *Jim Callaway*  
COMMUNITY DEVELOPMENT

**PURCHASING:** N/A

**ASST. CITY  
MANAGER:** N/A

**BUDGET:** N/A

**CITY  
MANAGER:** ALLEN BOGARD *KB* /FOR AB

### BUDGET

**EXPENDITURE REQUIRED: \$** N/A

**AMOUNT BUDGETED/REALLOCATION: \$** N/A

**ADDITIONAL APPROPRIATION: \$** N/A

### RECOMMENDED ACTION

Hold Public Hearing, approve First Reading and pass to Second Reading of Ordinance 1681.

## EXECUTIVE SUMMARY

This is a request to permanently zone 8.279 acres in the Telfair development from Interim Standard Single-Family Residential (R-1) to R-1. The property is adjacent to the proposed Telfair Central Planned Development (PD) district. More specifically, it is located near the southwest corner of University and New Territory Boulevard, abutting a LID 17 detention pond. The Telfair property was annexed by the City under Ordinance No. 1431 on April 6, 2004 and was officially incorporated into the City on July 1, 2004. At that time Interim R-1 zoning was applied to the property. This request is in conformance with the Telfair General Plan (Amendment No. 3), approved by Council on December 19, 2006 and is not in conflict with the City of Sugar Land Comprehensive Plan.

This rezoning request, if approved, would require this property to comply with all R-1 (Standard Single-Family Residential) regulations as contained in Chapter 2 of the Development Code. This permanent zoning addition of Telfair Central will bring the total R-1 acreage in Telfair to approximately 726 acres.

The Planning and Zoning Commission held a Public Hearing for the permanent zoning on March 27, 2008, and no members of the public spoke. Commission discussion included the appropriateness of R-1 zoning for Recreation Centers. Following the discussion, the Planning and Zoning Commission unanimously recommended approval of the permanent zoning to R-1 on April 8, 2008. This item requires a Public Hearing at Council prior to any action.

File No. 9626

CC: Keith Behrens, Newland Communities [kbehrens@newlandcommunities.com](mailto:kbehrens@newlandcommunities.com)

## EXHIBITS

### STAFF REPORT

### DETAILED INFORMATION

### GENERAL SITE INFORMATION AND ANALYSIS:

<b>Compliance with Comprehensive Plan</b>	<b>This proposal is not in conflict with the Comprehensive Plan.</b>
<b>Compliance with General Plan</b>	<b>This rezoning request is in compliance with the Telfair General Plan.</b>
<b>Subject Property</b>	<b>Interim Standard Single Family Residential (R-1)</b>
<b>Surrounding Property Zoning</b>	<b>North: Interim Standard Single-Family Residential (R-1) South: Interim Single-Family Residential (R-1) East: Interim Standard Single-Family Residential (R-1) West: Standard Single-Family Residential (R-1)</b>
<b>Surrounding Land Use</b>	<b>North: Undeveloped South: Detention East: Undeveloped – Proposed PD for Museum site West: Detention</b>

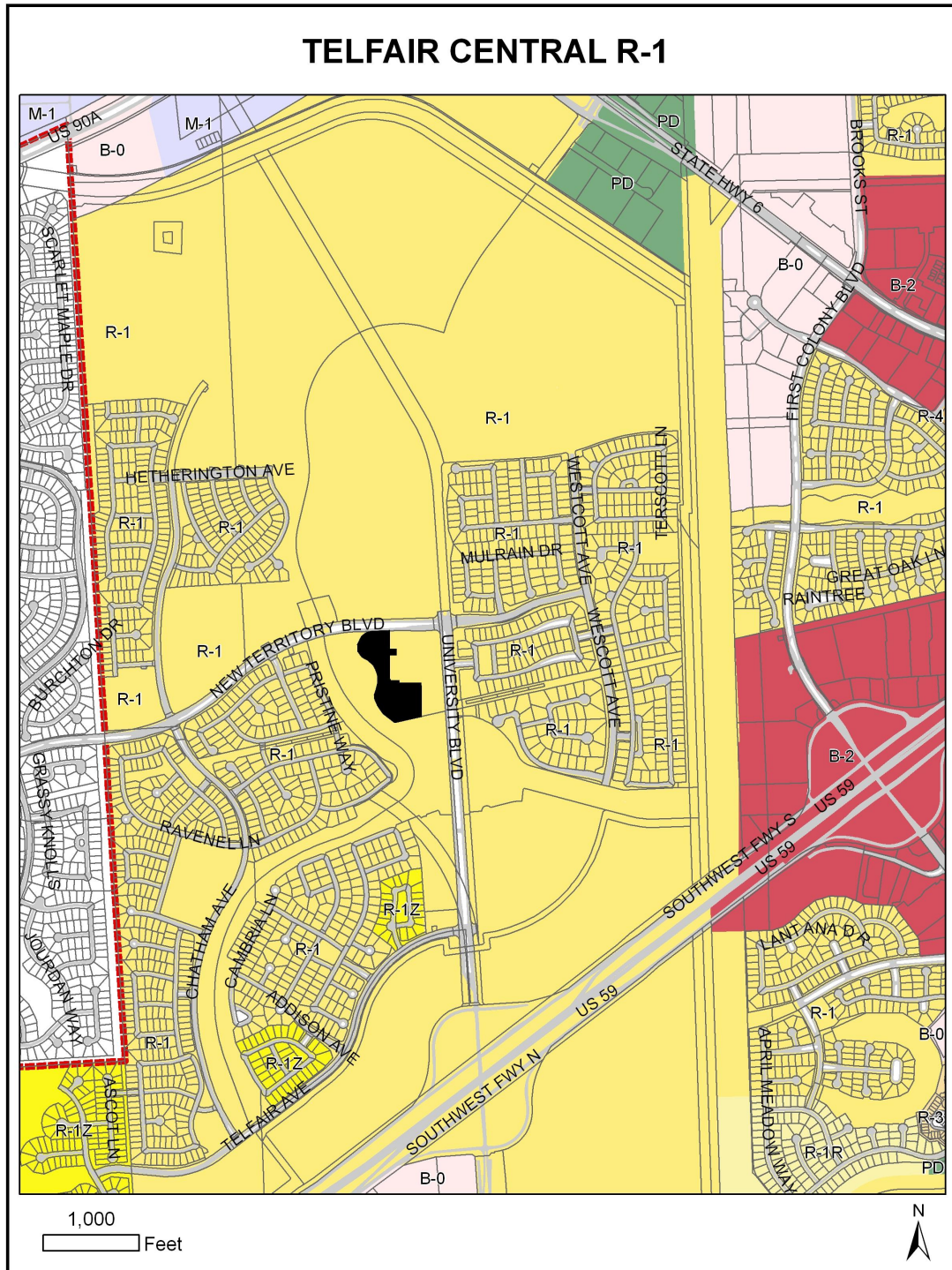
On November 16, 2004, City Council adopted the revised Land Use Plan portion of the City's Comprehensive Plan. The Land Use Plan serves as a guide for recommendations of permanent zoning for annexed properties and rezoning of existing properties within the City. The Telfair General Plan Amendment No. 3 (approved December 19, 2006) indicates that the Telfair Central property will be a part of an area which was intended to be a civic area to include recreational facilities, a community center and related uses. The proposal for Telfair Central R-1 is in character with the intent of the General Plan.

**POINTS FOR CONSIDERATION:**

**Request for Standard Single-Family Residential for Telfair Central is:**

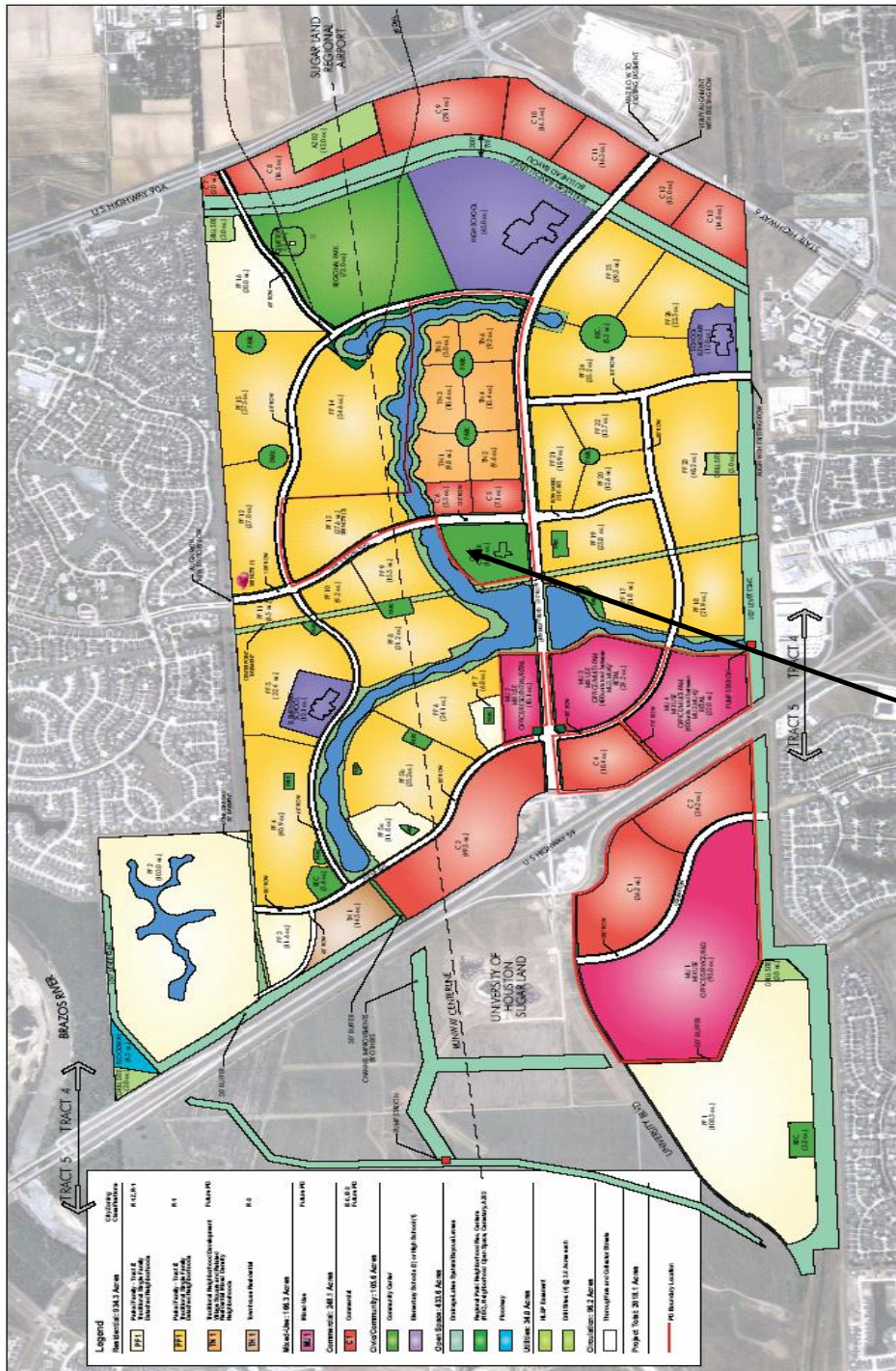
- **Not in conflict with the City of Sugar Land Comprehensive Plan**
- **In conformance with Telfair General Plan Amendment No. 3**
- **Compatible with surrounding areas**
- **The most appropriate zoning district for the site**

Vicinity Map:





**Telfair General Plan (Amendment No. 3):  
Approved December 19, 2006**



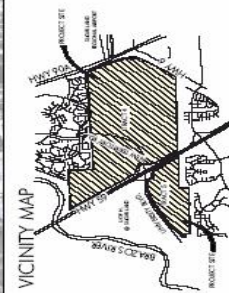
**TELFAR**  
LAND-USE PLAN, AMENDMENT 3  
OWNER: NEWARK AND COMMUNITIES  
1033 W. 4TH ST., SUITE 240  
HOUSTON, TEXAS 77040

DESIGN FIRM: B&B PARTNERS  
LAND BARRIERS / LANDSCAPE ARCHITECTS  
901 S. MOORE STREET, 3RD  
FLOOR, SUITE 300  
AUSTIN, TX 78746

Original Date: July 20, 2003  
Revised Date: Nov. 09, 2006  
This information should not be used for legal or financial matters and is not to be reproduced without the written consent of the originator.

Scale: 1" = 4'-00"

DATE: 11/09/06



**Telfair  
Central**

**GENERAL NOTES**

- 1) The Two Station Site may be relocated to an approved location between Needham Cornettville and the City of Sugar land without future General Plan revisions.
- 2) PE 13 - will be permanently zoned R-1 or a future Island City residential PD
- 3) Development will comply with subdivision regulations relating to second points of access.

**ORDINANCE NO. 1681**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, PERMANENTLY ZONING 8.279 ACRES OF LAND IN SUGAR LAND TRACT 4 WITHIN THE TELFAIR DEVELOPMENT AND LOCATED SOUTH OF NEW TERRITORY BOULEVARD AND WEST OF UNIVERSITY BOULEVARD, AS ZONING DISTRICT R-1, STANDARD SINGLE-FAMILY RESIDENTIAL DISTRICT.**

WHEREAS, NNP-Telfair, L.P. has requested that 8.279 acres of land in Sugar Land Tract 4 within the Telfair Development and located south of New Territory Boulevard and west of University Boulevard be permanently zoned as Zoning District R-1 Standard Single-Family Residential District, as described in Exhibit A; and

WHEREAS, the City Council has held a public hearing on the proposed permanent zoning for which notice was given as required by law; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY COUNCIL  
OF THE CITY OF SUGAR LAND, TEXAS:**

**Section 1.** That the 8.279 acres of land, described in Exhibit A, attached to and incorporated into this ordinance by reference, is permanently zoned as Zoning District R-1, Standard Single-Family Residential District.

**Section 2.** The City's official zoning map is amended to show the permanent zoning district classification.

READ IN FULL on first consideration on \_\_\_\_\_, 2008.

APPROVED upon second consideration on \_\_\_\_\_, 2008.

\_\_\_\_\_  
David G. Wallace, Mayor

ATTEST:

Reviewed for Legal Compliance:

*Meredith Wilgansuka*

\_\_\_\_\_  
Glenda Gundermann, City Secretary

Attachment: Exhibit A – Metes and Bounds Description

## Exhibit A: Metes & Bounds Description:

February 14, 2008  
Job No. 1800-1013A

### DESCRIPTION OF 8.279 ACRES

Being 8.279 acres of land located in the Alexander Hodge League, Abstract 32, Fort Bend County, Texas, more particularly being a portion of the residue of a called 1651.239 acre tract conveyed to NNP-Keepsake, L.P., by instrument of record under File No. 2003149525, Official Public Records, of said Fort Bend County (F.B.C.O.P.R.), said NNP-Keepsake, L.P. now known as NNP-Telfair LP, by instrument of record under File No. 2006007940, F.B.C.O.P.R., said 8.279 acres being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, South Central Zone, NAD 83, 1993 adjustment);

COMMENCING for reference at the intersection of the southerly line of that certain 80-foot wide utility easement of record under File No. 2004131587, F.B.C.O.P.R. with the west right-of-way line of University Boulevard Phase One, a subdivision of record in Plat No. 20060062, Plat Records, of said Fort Bend County (F.B.C.P.R.), also being on a northerly line of that certain called 86.591 acre tract conveyed to Fort Bend County Levee Improvement District No. 17 by instrument of record under File No. 2008014459, F.B.C.O.P.R.;

Thence, along the common line of said 80-foot wide utility easement and the northerly line of said 86.591 acre tract, South 77° 21' 33" West, 183.66 feet to the POINT OF BEGINNING;

Thence, continuing along said common line, South 77° 21' 33" West, 344.61 feet to a point for corner, the beginning of a curve;

Thence, leaving said common line with the northerly line of said 86.591 acre tract, the following fourteen (14) courses:

- 1) 25.01 feet along the arc of a tangent curve to the right having a radius of 30.00 feet, a central angle of 47° 46' 03", and a chord that bears North 78° 45' 26" West, 24.29 feet to a point for corner, the beginning of a compound curve;

## Meets and Bounds:

8.279 acres

February 14, 2008  
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- 2) 137.22 feet along the arc of a tangent curve to the right having a radius of 1325.72 feet, a central angle of  $05^{\circ} 55' 49''$ , and a chord that bears North  $51^{\circ} 54' 30''$  West, 137.16 feet to a point for corner, the beginning of a compound curve;
- 3) 53.16 feet along the arc of a tangent curve to the right having a radius of 122.00 feet, a central angle of  $24^{\circ} 57' 54''$ , and a chord that bears North  $36^{\circ} 27' 39''$  West, 52.74 feet to a point for corner, the beginning of a reverse curve;
- 4) 31.76 feet along the arc of a tangent curve to the left having a radius of 122.00 feet, a central angle of  $14^{\circ} 54' 56''$ , and a chord that bears North  $31^{\circ} 26' 10''$  West, 31.67 feet to a point for corner, the beginning of a reverse curve;
- 5) 135.01 feet along the arc of a tangent curve to the right having a radius of 200.00 feet, a central angle of  $38^{\circ} 40' 40''$ , and a chord that bears North  $19^{\circ} 33' 18''$  West, 132.46 feet to a point for corner;
- 6) North  $00^{\circ} 12' 58''$  West, 50.86 feet to a point for corner;
- 7) North  $03^{\circ} 02' 50''$  East, 107.58 feet to a point for corner, the beginning of a curve;
- 8) 243.25 feet along the arc of a tangent curve to the left having a radius of 200.00 feet, a central angle of  $69^{\circ} 41' 09''$ , and a chord that bears North  $31^{\circ} 47' 44''$  West, 228.53 feet to a point for corner, the beginning of a reverse curve;
- 9) 156.51 feet along the arc of a tangent curve to the right having a radius of 200.00 feet, a central angle of  $44^{\circ} 50' 15''$ , and a chord that bears North  $44^{\circ} 13' 11''$  West, 152.55 feet to a point for corner;
- 10) North  $21^{\circ} 48' 03''$  West, 22.74 feet to a point for corner, the beginning of a curve;



## Metes and Bounds:

8.279 acres

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- 11) 102.67 feet along the arc of a tangent curve to the right having a radius of 165.00 feet, a central angle of  $35^{\circ} 39' 11''$ , and a chord that bears North  $03^{\circ} 58' 28''$  West, 101.02 feet to a point for corner, the beginning of a compound curve;
- 12) 22.53 feet along the arc of a tangent curve to the right having a radius of 50.00 feet, a central angle of  $25^{\circ} 49' 18''$ , and a chord that bears North  $26^{\circ} 45' 46''$  East, 22.34 feet to a point for corner, the beginning of a curve;
- 13) 93.36 feet along the arc of a non-tangent curve to the right having a radius of 145.00 feet, a central angle of  $36^{\circ} 53' 21''$ , and a chord that bears North  $58^{\circ} 34' 53''$  East, 91.75 feet to a point for corner;
- 14) North  $77^{\circ} 29' 20''$  East, 44.77 feet to a point for corner on the south right-of-way line of New Territory Boulevard – Telfair, a subdivision of record in Plat No. 20060061, F.B.C.P.R.;

Thence, along said south right-of-way line, North  $88^{\circ} 26' 05''$  East, 252.75 feet to a point for corner;

Thence, leaving said south right-of-way line, South  $01^{\circ} 04' 56''$  East, 219.69 feet to a point for corner;

Thence, North  $88^{\circ} 55' 03''$  East, 88.95 feet to a point for corner;

Thence, South  $01^{\circ} 04' 56''$  East, 62.62 feet to a point for corner;

Thence, South  $43^{\circ} 55' 03''$  West, 1.41 feet to a point for corner;

Thence, South  $88^{\circ} 55' 04''$  West, 75.01 feet to a point for corner;

Thence, South  $01^{\circ} 05' 17''$  East, 209.00 feet to a point for corner;

## Metes and Bounds:

8.279 acres

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Thence, North 88° 55' 04" East, 10.07 feet to a point for corner;

Thence, South 46° 04' 56" East, 1.41 feet to a point for corner;

Thence, South 01° 04' 56" East, 17.00 feet to a point for corner;

Thence, North 89° 04' 46" East, 109.42 feet to a point for corner;

Thence, South 01° 04' 56" East, 27.67 feet to a point for corner;

Thence, North 88° 33' 47" East, 244.85 feet to a point for corner;

Thence, South 03° 56' 06" East, 347.61 feet to the POINT OF BEGINNING and containing 8.279 acres of land.



LJA Engineering & Surveying, Inc.

**Application:**



RECEIVED

FEB 18 2008

**CURRENT PLANNING DIVISION  
CONDITIONAL USE PERMIT OR REZONING APPLICATION**

PLANNING

*Please type or print the following information & Return your submittal to the Development Services Department (Current Planning Division), 2700 Town Center Blvd. North, Sugar Land, TX 77479, Attention: Gretchen Pyle*

**Applicant**

**Contact** LJA Engineering & Surveying, Inc. Attention: Jason M. Kelly, P.E.

**Address** 2929 Briarpark Drive, Suite 600, Houston, TX 77042

**Phone** (713) 953-5064

**Fax** (713) 953-5026

**Email** jkelly@ljaengineering.com

**Owner**

**Contact** NNP-Telfair, LP Attention: Keith Behrens, P.E.

**Address** 10235 West Little York, Suite 300, Houston, TX 77040

**Phone** (713) 575-9000

**Fax** (713) 575-9001

**Email** kbehrens@newlandcommunities.com

**Property Legal Description** \_\_\_\_\_ **See Attached** X

**Lot** \_\_\_\_\_ **Block** \_\_\_\_\_ **Subdivision** Telfair Central

**Current Zoning District** Temporary R-1 **Proposed Zoning District, if applicable** R-1

**If this is a CUP application:** ☐ new building ☐ existing building

**Proposed Use (CUP only)** \_\_\_\_\_

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the undersigned is authorized to make this application. **This application expires six months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on this request.**

X  
**Signature of Applicant**

2/14/08  
**Date**

**Submittal Requirements (Submittal Deadline is Monday at 3:00 p.m.):**

- ☒ Three (3) copies of the completed application
- ☒ Check for \$1,000.00 (non-refundable) \$400 if CUP is in MUC District
- ☒ Metes and bounds of the site and county slide number of plat, if recorded
- ☒ Two (2) 24" x 36" blue-line copies and two (2) 11" x 17" copies of the CUP layout plan or the property to be rezoned, including a vicinity map and north arrow on each copy
- ☒ Two (2) copies of a letter stating the applicant's request and addressing issues relating to a CUP including traffic circulation, parking, plan of operation, and other pertinent information
- ☒ Names and mailing addresses of all property owners and tenants within 200 feet of site, including owner and applicant

**Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.**

## Applicant Correspondence:

### **LJA Engineering & Surveying, Inc.**

2929 Briarpark Drive Phone 713.953.5200  
Suite 600 Fax 713.953.5026  
Houston, Texas 77042-3703 www.ljaengineering.com

February 15, 2008

Ms. Gretchen Pyle  
Development Review Coordinator  
City of Sugar Land  
2700 Town Center Blvd. North, Ste. 259  
Sugar Land, TX 77479

Re: Rezoning Application  
Telfair Central  
Fort Bend County MUD No. 138  
City of Sugar Land  
Fort Bend County, Texas  
LJA Job No. 1800-1013A (6.1)

Dear Ms. Pyle:

This letter is to request rezoning of NNP-Telfair, LP's Telfair Central from Temporary R-1 to R-1.

NNP – Telfair, LP is the current owner of all the property within the requested Rezone area. NNP-Telfair, LP, the City of Sugar Land and Fort Bend County Levee Improvement District No. 17 are the owners of all property within 200 feet around the requested Rezone.

#### Owners

NNP – Telfair, LP  
10235 West Little York, Suite 300  
Houston, Texas 77040  
Phone 713.575.9000

City of Sugar Land  
P.O. Box 5029  
Sugar Land, Texas 77479

Fort Bend County LID No. 17  
c/o Lynne Humphries  
Allen Boone Humphries Robinson LLP  
Phoenix Tower  
3200 Southwest Freeway, Ste. 2600  
Houston, Texas 77027  
Phone 713.860.6465

#### Applicant

LJA Engineering & Surveying, Inc.  
2929 Brairpark Drive, Suite 600  
Houston, Texas 77042  
Phone: 713.953.5200



## **NOTICE OF PUBLIC HEARING**

### **REQUEST FOR PERMANENT ZONING OF APPROXIMATELY 8.279 ACRES, TO BE KNOWN AS TELFAIR CENTRAL, LOCATED NEAR THE SOUTHWEST CORNER OF THE INTERSECTION OF UNIVERSITY BLVD AND NEW TERRITORY BLVD, TO STANDARD SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT**

**NOTICE OF PUBLIC HEARING REGARDING THE PROPOSED PERMANENT ZONING OF APPROXIMATELY 8.279 ACRES OF LAND FROM AN INTERIM R-1 ZONING DISTRICT TO STANDARD SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT, BEING LOCATED NEAR THE SOUTHWEST CORNER OF THE INTERSECTION OF UNIVERSITY BLVD AND NEW TERRITORY BLVD (AS SHOWN ON THE ATTACHED MAP), LOCATED WITHIN THE BOUNDARY OF THE AREA KNOWN AS TELFAIR (FORMER SUGAR LAND TRACT FOUR), BEING APPROXIMATELY 1,651.23 ACRES OF LAND LOCATED WITHIN THE M.M. BATTLE LEAGUE, ABSTRACT NO. 9 AND THE ALEXANDER HODGE LEAGUE, ABSTRACT NO. 32, FORT BEND COUNTY, TEXAS; CONVEYED TO THE STATE OF TEXAS, FOR THE USE AND BENEFIT OF THE PERMANENT SCHOOL FUND, BY AN INSTRUMENT OF RECORD IN FILE NO. 2003023371 OF THE OFFICIAL PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS**

**PURPOSE:** One (1) public hearing shall be held at which all persons interested in the proposed Permanent Zoning shall be given an opportunity to be heard.

**WHERE:** CITY OF SUGAR LAND CITY COUNCIL CHAMBER  
CITY HALL  
2700 TOWN CENTER BOULEVARD NORTH  
SUGAR LAND, TEXAS

**WHEN:** CITY OF SUGAR LAND  
CITY COUNCIL MEETING  
6:00 P.M., MAY 6, 2008

**DETAILS OF THE PROPOSED ZONING MAY BE OBTAINED BY CONTACTING THE CITY OF SUGAR LAND PLANNING OFFICE AT (281) 275-2218 OR BY EMAIL AT [PLANNING@SUGARLANDTX.GOV](mailto:PLANNING@SUGARLANDTX.GOV). THE PLANNING OFFICE IS OPEN MONDAY THROUGH FRIDAY FROM 8:00 O'CLOCK A.M. TO 5:00 O'CLOCK P.M., AND IS LOCATED AT CITY HALL, 2700 TOWN CENTER BOULEVARD NORTH, SUGAR LAND, TEXAS. PLEASE CONTACT US IF YOU WISH TO SET UP AN APPOINTMENT TO GO OVER ADDITIONAL DETAILS IN PERSON.**